

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

FOREST PRODUCTS INDUSTRIES,  
INC., a Missouri Corporation,

Plaintiff,

vs.

MALNOVE, INC., a Nebraska Corporation  
and CONAGRA FOODS, INC., a  
Nebraska Corporation,

Defendants.

8:04CV37

ORDER OF DISMISSAL

The matter before the court is the parties' joint stipulation for dismissal with prejudice, Filing No. 71. The court finds that this matter should be dismissed with prejudice.

IT IS THEREFORE ORDERED that, pursuant to Fed. R. Civ. P. 41(a)(1), the plaintiff's cause of action against the defendants is hereby dismissed in its entirety, with prejudice, and with the parties to be responsible for their own costs and attorney fees.

DATED this 21st day of December, 2005.

BY THE COURT:

**s/Joseph F. Bataillon**  
United States District Judge